

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

JUL 10 2009

CLERK, U.S. DISTRICT COURT

By _____
Deputy

CALIP JOSEPH FARMER,

Petitioner,

v.

2:06-CV-0198

NATHANIEL QUARTERMAN, Director,
Texas Department of Criminal Justice,
Correctional Institutions Division,

Respondent.

**ORDER OVERRULING OBJECTIONS,
ADOPTING REPORT AND RECOMMENDATION,
AND DISMISSING, IN PART, AND DENYING,
IN PART, PETITION FOR A WRIT OF HABEAS CORPUS**

Petitioner has filed with this Court an application for a writ of habeas corpus by a person in state custody. On June 19, 2009, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending that Grounds 2 and 4 of petitioner's application for federal habeas corpus relief be dismissed for failure to exhaust state remedies and Grounds 1, 3, and 5 be denied on the merits. On June 30, 2009, petitioner filed objections to the Report and Recommendation.

The undersigned United States District Judge has made an independent examination of the record in this case and has considered the objections made by petitioner to the Report and Recommendation. The objections filed by petitioner are without merit and are hereby OVERRULED. The Magistrate Judge's Report and Recommendation is hereby ADOPTED. Accordingly, the petition for a writ of habeas corpus filed by petitioner is DISMISSED AS TO GROUNDS 2 and 4, and is DENIED AS TO GROUNDS 1, 3, and 5.

IT IS SO ORDERED.

ENTERED this 9th day of July 2009.

 MARY LOU ROBINSON
 UNITED STATES DISTRICT JUDGE